

Message Text

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ORIGIN EB-07

INFO OCT-01 ARA-06 ISO-00 L-03 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-07 NSAE-00 EPG-02 FAA-00 /028 R

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R 040007Z JUN 77
FM SECSTATE WASHDC
TO AMEMBASSY MEXICO

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E.O. 11652: N/A

TAGS: EAIR, MX

SUBJECT: CIVAIR - USER CHARGES

REF: A) MEXICO 7561 B) MEXICO 3772 C) 76 MEXICO 5088

1. DEPARTMENT OF TRANSPORTATION, WHICH IS RESPONSIBLE
FOR MONITORING FOREIGN AVIATION USER CHARGES ASSESSED U.S.
INTERNATIONAL AIR CARRIERS, HAS ADVISED DEPARTMENT IT IS
CONCERNED BY RECENT GOM ANNOUNCEMENT (REFTEL A) OF PLANS TO
QUOTE INTERNATIONAL LANDING FEES IN DOLLARS AT PRE-
DEVALUATION RATES. FOLLOWING CLOSE AFTER INCREASE IN AIR-
PORT USER FEES REPORTED REFTEL B, DOT FINDS INCREASE IN
LANDING FEES TO BE PRIMA FACIE CASE OF EXCESSIVE CHARGING
REQUIRING INVESTIGATION AND POSSIBLE RETALIATORY ACTION
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UNDER THE INTERNATIONAL AIR TRANSPORTATION FAIR COMPETITIVE
PRACTICES ACT (FCPA). DOT HAS TAKEN THE POSITION THAT A
USER CHARGE WHICH SUBSTANTIALLY EXCEEDS THE COST OF PROVID-
ING AN AVIATION SERVICE VIOLATES THIS ACT.

2. DOT HAS REQUESTED THAT EMBASSY BOTH NOTIFY GOM OF USG
CONCERN OVER INCREASES IN AVIATION USER CHARGES AND ASSIST

IN A PRELIMINARY DETERMINATION OF WHETHER GOM FEES ARE UNREASONABLY EXCESSIVE OR OTHERWISE DISCRIMINATORY. DEPARTMENT SUGGESTS THAT AS FIRST STEP EMBASSY CONTACT APPROPRIATE MEXICAN OFFICIALS TO EXPRESS U.S. CONCERN AT LARGE LANDING FEE INCREASES AND STATEMENT OF THOSE FEES IN DOLLARS WHEN COSTS ARE PRINCIPALLY IN PESOS. REQUEST COST JUSTIFICATION IN AS MUCH DETAIL AS AVAILABLE. IT IS US POSITION THAT IF GOVERNMENTS OR CHARGING AUTHORITIES BELIEVE THAT AIRLINES SHOULD COVER THE FULL COST OF SERVICES PROVIDED THEY HAVE A RESPONSIBILITY TO JUSTIFY EVERY ELEMENT OF COST, AND THE WAY IT IS ALLOCATED AMONG VARIOUS USERS, INCLUDING GENERAL AVIATION AND THE MILITARY. REPORT REACTION.

3. DOT WOULD ALSO APPRECIATE ANY AVAILABLE DOCUMENTARY JUSTIFICATION FOR INCREASES, SUCH AS PRESS RELEASES, AIRPORT AUTHORITY ANNUAL REPORTS, AUDITOR REPORTS OF AIRPORT ACCOUNTS, ETC. REPORT OF THE STUDY COMMISSION MENTIONED IN REFTEL C. WOULD BE MOST HELPFUL. CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DISCRIMINATION, GOVERNMENT REACTIONS, AIRPORT FEES, AIRLINES, PRICE FIXING, INVESTIGATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 04-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Expiration:
Film Number: D770200-0311
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770690/aaaadavs.tel
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Litigation Codes:
Litigation History:
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